

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

IN RE: National Association of Music  
Merchants, Musical Instruments and  
Equipment Antitrust Litigation

**ORDER SETTING STATUS  
CONFERENCE**

MDL No. 2121  
(and Related Cases)

All cases before the Panel on Multidistrict Litigation have now been transferred to this Court, and related cases within this District have been transferred to Judge Larry A. Burns pursuant to Civil Local Rule 40.1(d)–(h). The member cases, *i.e.*, those transferred by the panel, and the related cases are identified in the appendix to this order.

A status conference on this litigation will be held on Friday, May 28, 2010 at 11:30 a.m. Pacific time, in which counsel in all these cases shall participate. Before the status conference, counsel for Plaintiffs shall confer and select one attorney or firm as temporary liaison counsel who will initially assume primary responsibility for communication with the Court and Defendants' counsel. All counsel shall also jointly prepare a summary of the status of the cases, which shall include list of pending motions in each case, along with the status of each motion.

The Court will use Tele-Court, Inc., a vendor licensed by the Administrative Office of the US Courts, to facilitate counsel's telephonic appearances. All counsel shall make

1 arrangements to appear by telephone at the status conference by going to  
2 www.tele-court.com or calling Tele-Court at (800) 924-5680. There is a fee of \$10 plus 25  
3 cents per minute for the Tele-Court service. Counsel must be registered for the status  
4 conference no later than 8:00 a.m. on May 27 and are therefore advised to register well in  
5 advance of the status conference. If any counsel wish to appear in person, they shall file a  
6 notice of intent to appear personally at the conference no later than May 20, 2010. The  
7 conference will be held in the Court's conference room on the fifth floor of the Edward J.  
8 Schwartz Federal Courthouse, 940 Front Street, San Diego, CA. The Court encourages all  
9 non-local counsel to participate telephonically.

10 Counsel should be prepared to discuss the proper disposition of motions pending in  
11 all cases, the possibility of settlement, the scheduling of an Early Neutral Evaluation  
12 conference (see Civ. Local Rule 16.1(c)), and the degree to which the cases should be  
13 consolidated. The primary purpose of the status conference is to assess the procedural  
14 history and posture of the individual cases; the Court will not be addressing issues related  
15 to a proposed case management order or any proposed dates or schedules for the case.  
16 The Court may also address other matters mentioned in the Joint Motion for Initial Pretrial  
17 Conference (Docket no. 8 in case no. 09md2121) as appropriate. If counsel believe other  
18 items should be added to the agenda at the status conference, they may file a notice in  
19 docket number 09md2121-LAB (POR), but proposed agenda items should be limited to  
20 preliminary status issues only. Counsel are also requested to review the Appendix to this  
21 order and confirm that their case is properly listed. If it is not, they may appear at the status  
22 conference and bring this to the Court's attention.

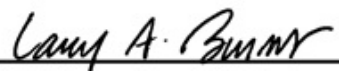
23 Magistrate Judge Louisa Porter will preside at the Early Neutral Evaluation  
24 conference, which will be scheduled later. Questions about the Early Neutral Evaluation  
25 conference should be directed to her chambers.

26 All cases, both those transferred to this Court by the Panel on Multidistrict Litigation  
27 and those transferred to Judge Burns pursuant to Civil Local Rule 40.1(d)–(h), are **STAYED**  
28 except to the extent provided for by the Court's orders. Defendants will not be required to

1 answer or otherwise respond to the complaints in any of these cases until the Court so  
2 orders.

3 **IT IS SO ORDERED.**

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5 DATED: May 3, 2010

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7 **HONORABLE LARRY ALAN Burns**  
8 United States District Judge  
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**Appendix**

Member Cases, Transferred by the Panel on Multidistrict Litigation:

09-cv-02002-LAB -POR, *Giambusso v. NAMM Inc.*, et al.  
09-cv-02146-LAB -POR, *Giles v. Guitar Center, Inc.*, et al.  
09-cv-02151-LAB -POR, *Rory Collins v. Guitar Center, Inc.*, et al.  
09-cv-02156-LAB-POR, *Keel v. Guitar Center, Inc.*, et al.  
09-cv-02816-LAB-POR, *Teller v. Guitar Center, Inc.*  
09-cv-02822-LAB-POR, *O'Leary v. Guitar Center, Inc.*, et al.  
09-cv-02823-LAB-POR, *Hale v. Guitar Center, Inc.*, et al.  
10-cv-00001-LAB -POR, *Pearson, et al. v. Guitar Center, Inc.*, et al.  
10-cv-00002-LAB -POR, *Bigg v. Guitar Center, Inc.*, et al.  
10-cv-00003-LAB -POR, *Jost v. Guitar Center, Inc.*, et al.  
10-cv-00019-LAB -POR, *Parikh v. Guitar Center, Inc.*, et al.  
10-cv-00020-LAB -POR, *Williamson v. Guitar Center, Inc.*, et al.  
10-cv-00022-LAB -POR, *Smith v. Guitar Center, Inc.*, et al.  
10-cv-00023-LAB -POR, *Jennings v. Guitar Center, Inc.*, et al.  
10-cv-00024-LAB -POR, *Kennedy v. NAMM, Inc.*, et al.  
10-cv-00026-LAB -POR, *Cervantes v. Guitar Center, Inc.*, et al.  
10-cv-00027-LAB -POR, *Poff v. Guitar Center, Inc.*, et al.  
10-cv-00028-LAB -POR, *Cook v. Guitar Center, Inc.*, et al.  
10-cv-00029-LAB -POR, *Logsdon v. Guitar Center, Inc.*, et al.  
10-cv-00030-LAB -POR, *Roessler v. Guitar Center, Inc.*, et al.  
10-cv-00033-LAB -POR, *Armstrong v. NAMM, Inc.*, et al.  
10-cv-00063-LAB -POR, *Roach v. NAMM, Inc.*, et al.  
10-cv-00136-LAB -POR, *Manyin v. Guitar Center*, et al.  
10-cv-00138-LAB -POR, *Melton v. Guitar Center, Inc.*, et al.  
10-cv-00139-LAB -POR, *Tabas v. Guitar Center, Inc.*, et al.  
10-cv-00179-LAB -POR, *Bandish v. Guitar Center, Inc.*, et al.

1 10-cv-00753-LAB -POR, *Wiggins v. Guitar Center, Inc.*, et al.

2 10-cv-00755-LAB -POR, *Donnie Collins v. Guitar Center, Inc.*, et al.

3 Related Cases, Transferred Within This District:

4 09-cv-02178-LAB -POR, *Witherspoon v. NAMM, Inc.*, et al.

5 09-cv-02211-LAB -POR, *Ramsey, et al. v. NAMM, Inc.*, et al.

6 09-cv-02267-LAB -POR, *Sepulveda v. Guitar Center, Inc.*, et al.

7 09-cv-02285-LAB -POR, *Paradise v. NAMM, Inc.*, et al.

8 09-cv-02332-LAB -POR, *Bohl v. NAMM, Inc.*, et al.

9 09-cv-02418-LAB-POR, *Lesko, et al. v. Guitar Center, Inc.*, et al.

10 09-cv-02423-LAB -POR, *Seiler, et al. v. Guitar Center, Inc.*, et al.

11 09-cv-02488-LAB-POR, *Gagnepain v. Guitar Center, Inc.*, et al.

12 10-cv-00075-LAB -POR, *Feltheimer v. NAMM, Inc.*, et al.

13 10-cv-00103-LAB -POR, *Kaufman v. NAMM, Inc.*, et al.

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